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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 002203

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SUBJECT: (C-AL7-01035) ETHIOPIA: SOMALI REGION SUPREME
COURT'S HEAD JUDGE PROVIDES GOE PERSPECTIVE ON OGADEN
COUNTERINSURGENCY

REF: A. STATE 88346 (NOTAL)

[1](#)B. ADDIS ABABA 2197

[1](#)C. ADDIS ABABA 2196 (AND PREVIOUS)

Classified By: ERIC WONG, ACTING DCM. REASON: 1.4 (D).

[1](#)1. (C/REL UK) SUMMARY. The acting President of the Supreme Court for Ethiopia's Somali Region, Abdurahman Rega, denies any increase in detentions resulting from the GOE's ongoing counterinsurgency campaign against suspected Ogaden National Liberation Front (ONLF) rebels in the Ogaden. A former police commissioner for the entire Somali Region, as well as a member of the ruling coalition, Rega also downplayed concerns about food insecurity arising from restrictions imposed by Ethiopian security officials (contrary to representatives of UN and humanitarian agencies), and asserted that the GOE's Disaster Prevention and Preparedness Agency (DPPA) was providing food to every local woreda. He reiterated assertions in state-run media that the ONLF was responsible for a May 28 attempted assassination of the Somali Region's President, and that it was working with armed groups in the Ogaden. As Rega's observations likely reflect "the party line," his assertion that the GOE sought dialogue with the ONLF and prefers "secret negotiations by peaceful means" merits attention. END SUMMARY.

[1](#)2. (SBU) On June 27, Acting DCM, ORA analyst, USAID Democracy and Governance staff, and UK poloff met with Abdurahman Rega, acting President of the 18-judge Supreme Court for Ethiopia's Somali Region. Rega, a member of the SPDP party associated with the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition, formerly served as Police Commissioner for the Somali Region, as well as a member of the regional parliament.

TRADITIONAL DISPUTE RESOLUTION THE NORM IN SOMALI REGION

[1](#)3. (U) Rega explained that 80 percent of legal cases in the Somali Region were heard by traditional or sharia courts; e.g., 100 camels was the traditional compensation for homicide. Pastoralists in rural areas preferred traditional dispute resolution; arbitration by a mediator (e.g., elders) was possible with the joint agreement of both parties. With courthouses in only three districts in the entire Region, the

Somali Regional courts needed assistance with capacity-building, including the establishment of a judicial training center, logistical support, and even the provision of vehicles. Asked the ethnic composition of the Region's judicial personnel, Rega said it was mostly Somali, especially high courts at the local woreda level. Woreda-level judges received training from the federal government's Ministry of Justice; the law faculty at Alemayou University in Dire Dawa provided summer training.

¶4. (U) Rega highlighted the regional government's lack of institutional capacity in the Somali Region, citing understaffing in the Somali Regional Police, compared to similar forces in Amhara and Oromiya Regions. The Somali Regional Police numbered only 2,000-3,000, with approximately 20 police vehicles for the entire Region. As the police were so few in number, the regional government's "office for militia" worked with the heads of 53 woredas (local administrative units) in order to arm kebele-level militia. Asked whether the GOE dispatched Federal Police to supplement the regional police, Rega noted only that the regional and federal governments "support each other."

ONLF: REPORTEDLY FEW AND DISPERSED IN NUMBER

¶5. (SBU) Rega denied that there had been any mass detentions in the Somali Region, as a result of the Ethiopian National Defense Force's (ENDF) counterinsurgency against the ONLF.

-- The Somali Region's Supreme Court dealt with criminal and commercial disputes, and also served as the high court in the

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federal court system, while the Federal Court in Dire Dawa traveled to Jijiga (i.e., within the Somali Region) to hear primarily criminal cases (e.g., murder, theft, rape), some civil dispute, and "crimes against the constitution." Rega asserted that the Federal Court in Dire Dawa was currently dealing with only 21 cases.

-- Judges in the regional courts, not federal judges, were remanding suspects to custody, Rega said, but there had not been any increase in the number of detentions. Arrests were by local police; suspects were then brought to Somali Regional courts, he said. Rega maintained that local police were in charge, in the Somali Region, but acknowledged that Federal Police were present in Jijiga.

-- Prisoners were held at existing prisons in Jijiga and Dire Dawa only, not transferred elsewhere out of the Somali Region; many were remanded and held in custody at local police stations, he said.

¶6. (SBU) Contrary to representatives of UN and humanitarian agencies (refs B-C), Rega also downplayed concerns about food insecurity arising from restrictions imposed by Ethiopian security officials:

-- Rega said he "had heard" of restrictions on emergency and commercial food deliveries to the Ogaden (refs B-C), but responded that the federal government sought to respond to the ONLF's "terrorist acts." He asserted that the International Committee of the Red Cross (ICRC) was still providing food, and that regional authorities working with the GOE's Disaster Prevention and Preparedness Agency (DPPA) were providing food to every woreda. (NOTE: ICRC Deputy Head of Delegation reported on July 3 that ICRC maintained access to areas in the Somali Region--so long as pre-notification was given to the Ethiopian military; see ref C. END NOTE.) Rega said he was not aware of any restrictions on NGOs in Gode.

-- Social and ethnic ties linked residents of Ethiopia's Somali Region to neighboring Somalia, he added; pastoralists

grazed livestock in both countries. As the border was porous, goods could also be smuggled from Somalia, he asserted.

-- Questioned about media reports of aerial bombardment in the Ogaden by the Ethiopian military, Rega responded that as the ONLF were dispersed and few in number, it was not logical to bomb ONLF sites.

¶7. (SBU) Rega reiterated assertions in state-run media that the ONLF was responsible for a May 28 attack with hand grenades that resulted in the wounding of the Somali Regional President, Abdullahi Hassan, during his participation in a public ceremony commemorating the ruling coalition's victory over the previous Derg regime. (NOTE: The ONLF has publicly denied responsibility for this May 28 attack, although it did claim responsibility for a larger-scale attack on a Chinese oil facility in the Ogaden in April. END NOTE.) Rega said police had recovered three live, unused grenades from the May 28 attack, and that the ONLF may have been collaborating with Eritrea, Somalia's ousted Council of Islamic Courts (CIC), and the Oromo Liberation Front (OLF). Rega said he was unclear about the specific injuries sustained by President Hassan during the May 28 attack, but maintained that Hassan was wounded in the leg. (NOTE: There have been conflicting (but unconfirmed) reports that Hassan was wounded in the chest, as a result of federal security officers returning fire on Hassan's suspected assailants. END NOTE.) As a result of the April and May attacks, attributed to the ONLF, the government required that NGOs operating in the Ogaden had police escorts "for their own protection," he said.

¶8. (SBU) Questioned about other armed groups in the Ogaden, Rega asserted that the ONLF, the United Western Somali Liberation Front (UWSLF), and Al-Itihaad al-Islamiya (AIAI) all supported each other, but had different ideologies. He said the UWSLF "may exist in the region," but was not active; he denied that it was distinct from the ONLF. AIAI was "not

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as strong" as the ONLF, but sought to establish a separate Islamic state. Questioned about alleged ties between the ONLF and OLF, Rega said the OLF supported ONLF activities against the GOE. Asked whether the Somali judicial system therefore saw an increase in the number of Oromos arrested, Rega noted that Oromos would be dealt with by the Federal Court, not the Somali Regional courts.

EXCEPT FOR ONLF AREAS, SOMALI REGION READY FOR LOCAL ELECTIONS

¶9. (C/REL UK) The GOE sought dialogue with the ONLF, and Prime Minister Meles had previously sent elders to mediate with the ONLF, Rega said. "Secret negotiations by peaceful means" was the preferred mechanism for dealing with the ONLF; however, the ONLF "has no good leadership," Rega said.

¶10. (SBU) Acknowledging the need for the GOE to "win hearts and minds," Rega said the Somali Region was politically ready to conduct local elections. "At this stage, elections can be done" in non-ONLF areas, he said. Given its vast geographical area, Rega asserted that 80 percent of the region had "no problem in their areas;" only woredas in Fik and Kebridehar presented difficulties. Rega acknowledged some popular support for the ONLF, attributing it to support from ethnic clans, despite opposition to "terrorist acts."

¶11. (U) Lack of infrastructure, however, could hamper ability to conduct elections. Ballots would have to be brought in some areas by camel, Rega said. Additionally, with animals now grazing, it was preferable to wait for pastoralists to return to their traditional domiciles (i.e., after the July-August rainy season); even the current national census in Ethiopia had been delayed in the Somali Region to September.

¶12. (C/REL UK) COMMENT. As a former police commissioner for the Somali Region, as well as a regional parliamentarian representing the SPDP party, Rega has clearly aligned himself with the ruling EPRDF coalition, and thus hews to the party line. His denial of mass arrests in the Ogaden, travel restrictions affecting Gode, or of severe restrictions on food delivery, contradict recent observations made by senior UN agency officials and by NGOs operating in the Ogaden (refs B-C). On the other hand, his assertion that the GOE prefers "secret negotiations" with the ONLF is significant, if it indeed reflects current thinking among GOE principals. END COMMENT.
YAMAMOTO